

Stephen W. Rupp, Trustee (2824)
McKAY, BURTON & THURMAN
170 South Main Street, Suite 800
Salt Lake City, UT 84101
Telephone: (801) 521-4135
Telefax: (801) 521-4252

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION**

In re: : Bankruptcy No. 11-29635 WTT
JARED BRIGHAM DARGER, : (Chapter 7)
Debtor. :

**MOTION TO EXTEND DEADLINE FOR FILING COMPLAINTS CONCERNING
THE DEBTOR'S DISCHARGE AND MOTION FOR TURNOVER ORDER**

The Trustee in the above-captioned case, Stephen W. Rupp, hereby requests that the Court extend the deadline for filing complaints concerning the debtor's discharge. The present deadline is October 11, 2011. The Trustee requests that the deadline be extended for three months or up to and including ***January 11, 2012***. The Trustee also requests an order of the Court requiring the debtor produce and turnover property of the bankruptcy estate by a date certain. The Trustee requests this relief as to the Trustee only. The Trustee requests this relief for the following reasons:

1. A first and continued First Meeting of Creditors were conducted in this case.

2. A directive was issued at the First Meeting of Creditors requiring that the debtor surrender and turnover pursuant to §521(a)(4) of the Bankruptcy Code all property of the bankruptcy estate.

3. As of the date of the filing of these motions, the debtor has failed to surrender and turnover property of the bankruptcy estate.

4. The Trustee considers all that has been requested at the First Meeting of Creditors necessary in the continued investigation of the debtor's financial affairs and dealings, the identification and pursuit of property or claims of the bankruptcy estate and the realization of value of property of the estate and the administration of the estate. The debtor's failure to surrender and turnover raises issue concerning debtor's failure to comply with debtor's duties under the Bankruptcy Code and Rules, including §521(a)(4) of the Bankruptcy Code and debtor's entitlement to a Chapter 7 discharge.

WHEREFORE, the Trustee hereby requests that the deadline for filing complaints concerning debtor's discharge be extended for three months or up to and including ***January 11, 2012***. The Trustee also requests an order of the Court requiring that the debtor surrender and turnover property of the estate within fourteen (14) days after the entry of a turnover order, the following:

- (a) 2005 Dodge Ram 3500 Diesel truck.
- (b) All equity draws from the debtor's businesses since June 29, 2011.

(c) All net rental income received from the property at 7544 West Perennial Drive, Magna, Utah, net meaning after payment of all costs and expenses of the rental property, including mortgage payments.

The Trustee notes that the debtor has not produced ongoing books and records and has not produced copies of paychecks or transfers to him from the businesses since January 1, 2011 to the present. The Trustee notes that these matters will be pursued by subpoena if not produced by the debtor.

DATED this 11 day of October, 2011.

McKAY, BURTON & THURMAN

By _____

Stephen W. Rupp
Attorneys for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion To Extend Deadline For Filing Complaints Concerning Debtor's Discharge and Motion For Turnover Order was mailed, postage prepaid, on the 11 day of October, 2011, to the following:

U.S. Trustee's Office (Sent via ECF)
405 South Main Street, Suite 300
Salt Lake City, UT 84111

Jared Brigham Darger
15757 Packsaddle Drive
Bluffdale, UT 84065

Lou G. Harris
111 East 5600 South, Suite 322
Murray, UT 84107

Kaui Pawee

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